

PHILLIP A. TALBERT
United States Attorney
JEFFREY A. SPIVAK
CODY S. CHAPPLE
Assistant United States Attorneys
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FELIX ALEJANDRO,

Defendant.

CASE NO. 1:24-CR-00045-JLT-SKO
1:11-CR-00354

**STIPULATION AND ORDER TO CONTINUE
STATUS CONFERENCE AND EXCLUDE TIME**

The parties stipulate as follows:

1. The defendant was sentenced on September 23, 2013, on charges related to an Indictment filed in this district, Case No. 1:11-CR-00354. He was sentenced to 140 months imprisonment and 60 months of supervised release. His supervision began on July 2, 2020.

2. An Order and Petition for Warrant or Summons for Person Under Supervision was filed on August 4, 2023, against the defendant. The defendant had his initial appearance on February 5, 2024, and was ordered detained.

3. A separate indictment was filed in this district on February 29, 2024, and the defendant was arraigned on the indictment on March 5, 2024. That case is numbered 1:24-CR-00045-JLT-SKO. The Court set status conferences for both cases on April 17, 2024. On April 12, 2024, the government

made a plea offer to the defendant in both cases. Later, the Court continued the status conference in both cases to May 15, 2024. The Court also excluded time up to that date in the case numbered 1:24-CR-00045-JLT-SKO.

4. Now, the parties agree to continue both cases' status conference from May 15, 2024, to July 3, 2024, to further provide defendant with reasonable time necessary for effective preparation, so that the defendant can review the discovery, and for defendant to consider a pre-trial resolution of the case.

5. The parties agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. The parties also agree that the period from May 15, 2024, through July 3, 2024, should be excluded. Fed. R. Crim. P. 17.1; 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv), in the case numbered 1:24-CR-00045-JLT-SKO.

6. The parties agree that the Speedy Trial Act is not implicated in this case numbered 1:11-CR-00354-JLT-SKO, involving the defendant's violations of his supervised release conditions.

IT IS SO STIPULATED.

Dated: May 7, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ Cody Chapple
Jeffrey Spivak
Cody Chapple
Assistant United States Attorney

Dated: May 7, 2024

/s/ Victor Nasser
Victor Nasser
Counsel for Alejandro Felix.

ORDER

The Court has read and considered the parties' stipulation to further continue the status conference and exclude time. The Court finds there is good cause for the continuance so as to allow the defendant reasonable time to complete his review of the discovery and fully consider a pre-trial resolution of the case. The Court also finds that the interests of justice served by granting the continuance outweigh the interests of the public and the defendant in a speedy trial.

Therefore, for good cause shown:

1. The status conferences for the cases numbered 1:24-CR-00045-JLT-SKO and 1:11-CR-00354-JLT-SKO are continued from May 15, 2024, until **July 3, 2024, at 1:00 p.m. before Magistrate Judge Shiela K. Oberto**; and
2. The period from May 15, 2024, through July 3, 2024, shall be excluded pursuant to Fed. R. Crim. P. 17.1; 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv) in the case numbered 1:24-CR-00045-JLT-SKO.

IT IS SO ORDERED.

DATED: 5/9/2024

Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE